

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **OOSHIMA, Tsutomu**

Group Art Unit: 1745

Serial No.: **09/722,114**

Examiner: **Julian A. Mercado**

Filed: **November 27, 2000**

P.T.O. Confirmation No.: 4617

For: **SEALED BATTERY**

AMENDMENT UNDER 37 CFR §1.111

Commissioner for Patents
Washington, D.C. 20231

January 2, 2003

Sir:

In response to the Office Action dated **July 1, 2002**, extended to **January 1, 2003** by a 3 month Petition for Extension of Time, please amend the above-identified application as follows:

IN THE CLAIMS:

Please **cancel** claims 3 and 4 without prejudice or disclaimer.

Please **amend** claims 1 and 2 as indicated below:

1. **(Amended)** A sealed battery, accommodating a battery element of flat shape, said battery element, comprising:

a positive electrode and a negative electrode being laminated onto each other with a separator interposed between them and being wound together; and

a battery case containing said positive and negative electrode, comprising:

a plurality of walls forming the battery case with each wall of the plurality of walls having an inner surface and a flat outer surface, wherein the inner surface of one wall of the plurality of walls